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6                   **UNITED STATES DISTRICT COURT**  
7                   **DISTRICT OF NEVADA**

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9                   MARLO THOMAS,

10                  Petitioner,

2:17-cv-00475-RFB-VCF

11                  vs.

12                   **ORDER**

13                  TIMOTHY FILSON, *et al.*,

14                  Respondents.

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17         In this capital habeas corpus action, the petitioner, Marlo Thomas, filed a motion for stay on  
18 October 26, 2017 (ECF No. 27). After an extension of time (ECF No. 29), respondents were to respond  
19 to that motion by December 14, 2017.

20         On December 14, 2017, respondents filed a motion for reconsideration (ECF No. 31), requesting  
21 reconsideration of the Court's order (ECF No. 9) accepting Thomas' waiver of a conflict disclosed by  
22 his counsel, the Federal Public Defender for the District of Nevada (FPD).

23         Also on December 14, 2017, respondents filed a motion for extension of time (ECF No. 30),  
24 requesting that their response to the motion for stay be suspending pending the resolution of the motion  
25 for reconsideration. Based on a review of the record, the Court finds it appropriate to extend the  
26 Respondents' time to respond to the motion to stay but not to extend the time until the motion for

1 || reconsideration has been decided.

2           **IT IS THEREFORE ORDERED** that respondents' Motion for Enlargement of Time  
3 (ECF No. 30) is **GRANTED in part**. Respondents' response to petitioner's motion for stay (ECF No.  
4 27) is due by January 9, 2018.

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6 Dated this 19<sup>th</sup> day of December, 2017.

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RICHARD FRANKLIN BOULWARE II  
UNITED STATES DISTRICT JUDGE